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**Ad Hoc Committee on the Elaboration of a
Convention against Transnational Organized Crime**
First session
Vienna, 19-29 January 1999

INFORMAL GROUP OF THE "FRIENDS OF THE CHAIR" OF THE AD HOC COMMITTEE ON THE ELABORATION OF THE CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

FIRST MEETING

ROME, 17-18 JULY 1998

MAIN POINTS OF DISCUSSION

1. The first meeting of the informal group of the "Friends of the Chair" was convened in Rome, Italy, from 17 to 18 July 1998, hosted by the *Direzione Nazionale Antimafia*. The following countries were represented: Argentina, Australia, Austria, Azerbaijan, Brazil, Bulgaria, Canada, China, Chile, Colombia, Finland, France, Germany, Italy, Japan, Mexico, Netherlands, Poland, Romania, Russian Federation, Spain, Sudan, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, and United States of America.

2. The meeting was opened by the Director-General of the *Direzione Nazionale Antimafia*, who welcomed the participants and reiterated the commitment of his Government to support the efforts of the international community to elaborate an effective international instrument against transnational organized crime. The meeting was chaired by Ambassador Luigi Lauriola in his capacity as Chairman-elect of the Ad Hoc Committee on the Elaboration of the Convention against Transnational Organized Crime.

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*The Secretary-General has the honour to bring to the attention of the Ad Hoc Committee the report of the First Meeting of the Informal Group of the "Friends of the Chair" held at Rome on 17-18 July 1998. This document was previously issued in English, French and Spanish as CICP/CONV/WP.4 for the purposes of the Informal Preparatory Meeting of the Ad Hoc Committee on the Elaboration of a Comprehensive Convention against Transnational Organized Crime held at Buenos Aires from 31 August to 4 September 1998.

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3. The meeting adopted the following agenda:

1. Adoption of the agenda
2. Review of issues and organizational matters
3. Work programme of the "Friends of the Chair"
4. Work programme of the Ad Hoc Committee
5. Preparations for the informal preparatory meeting of the Ad Hoc Committee
6. Other business

4. The meeting had before it the following documents: (a) Report of the inter-sessional open-ended intergovernmental group of experts on the elaboration of a preliminary draft of a possible comprehensive international convention against organized transnational crime (E/CN.15/1998/5); (b) draft resolution II on transnational organized crime (Commission on Crime Prevention and Criminal Justice, Report on the Seventh Session, (E/CN.15/1998/11, p. 4)), (c) draft resolution III on measures to regulate firearms for the purpose of combating illicit trafficking in firearms (E/CN.15/1998/11, p. 16); (d) draft resolution IV on action against illegal trafficking in migrants, including by sea (E/CN.15/1998/11, p. 18); (e) draft resolution V on action to combat international trafficking in women and children (E/CN.15/1998/11, p. 20); (f) annex III, Report of the working group on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (E/CN.15/1998/11, p. 80); and (g) annex V, Draft international convention against the smuggling of illegal migrants and the draft protocol aiming at combating the trafficking and transport of migrants by sea (E/CN.15/1998/11, p. 106).

5. In addition, Finland, France and Tunisia submitted written contributions to the work of the Ad Hoc Committee (documents CICP/CONV/WP.1, CICP/CONV/WP.2 and CICP/CONV/WP.3 respectively). Finland's contribution consisted of a memorandum for the meeting and a draft consolidated text of the proposed Convention, which took into account the progress made at the seventh session of the Commission on Crime Prevention and Criminal Justice. France submitted a draft addressing the statement of objectives, definitions, scope of application, offences and sanctions, jurisdiction, identification, freezing, seizure and confiscation, liability of corporate entities, and prosecution, sentencing and adequate sanctions. Tunisia offered comments on articles 1, 2, 6, 7, 8 and 10 of the text contained in document E/CN.15/1998/5. On the request of France and Tunisia, the Secretariat would make their contributions available as background documentation at the informal preparatory meeting of the Ad Hoc Committee to be held in Buenos Aires from 31 August to 4 September 1998, if possible translated into all official languages of the United Nations. The meeting agreed that the Secretariat should prepare a consolidated text of the draft Convention. This text should include all proposals contained in the documents mentioned in paragraph 14 of draft resolution II on transnational organized crime, recommended by the Commission on Crime Prevention and Criminal Justice at its seventh session for adoption by the General Assembly. The consolidated text submitted by Finland would serve as the basis for the work of the Secretariat in preparing this consolidated text. The meeting asked the Secretariat to prepare for the first meeting of the Ad Hoc Committee, to be held in January 1999, an overview of relevant provisions of other international legal instruments.

6. The Secretariat stressed the importance of advanced planning of the meetings which the Ad Hoc Committee will require to complete its work, in line with the recommendations of the Commission, by the year 2000. Advanced planning was necessary in order to ensure the availability of conference services and interpretation in all official United Nations languages. Although the work programme of the Ad Hoc Committee had been tentatively outlined up to the eighth session of the Commission on Crime Prevention and Criminal Justice, an indication of the needs of the Ad Hoc Committee between May 1999 and the date envisaged for the adoption of the Convention was required. After discussing the matter, the meeting agreed that the attached tentative schedule of work (annex I) reflected the needs of the Ad Hoc Committee, and could guide the Secretariat in seeking to obtain the necessary conference services, including interpretation and translation.

7. Several participants expressed concern about the lack of interpretation at the meetings of the "Friends of the Chair", which in their view limited their ability to fully participate in the work of this group. The Secretariat explained that lack of resources made the provision of interpretation and translation services to such informal meetings even in the working languages of the United Nations extremely difficult. Nonetheless, the Secretariat affirmed that it would undertake every effort possible to secure such services for the meetings of the group. A number of participants called upon States to make voluntary contributions to facilitate such endeavour. The meeting noted that the issue of adequate resources that would permit full support of the work of the Ad Hoc Committee by the Secretariat, especially in view of the expected acceleration of that work, may have to be reviewed by the Commission at its eighth session.

8. The meeting discussed the most appropriate way to structure the work of the Ad Hoc Committee in order to allow it to fulfil its mandate, particularly in regard to the consideration of international instruments on trafficking in migrants, including by sea, trafficking in firearms, and trafficking in women and children. The meeting noted that the draft resolution containing the mandate of the Ad Hoc Committee had established the guidelines for it. In this vein, the Ad Hoc Committee should pursue the elaboration of the Convention against Transnational Organized Crime as its main task, while allocating time at each of its meetings for the discussion of the above-mentioned international instruments or protocols.

9. The Chairman called on the States that had taken the initiative of suggesting elaboration of international instruments on trafficking in firearms and trafficking in women and children to submit as soon as possible draft texts to the Secretariat. Participants pointed out that the conventions adopted by the Organization of American States on these subjects can be made available to the Ad Hoc Committee in English, French and Spanish as reference material. The participants from the United States made available to the meeting the text of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, in English. It was also pointed out that draft texts on any additional topics that States may wish the Ad Hoc Committee to consider would greatly facilitate its work.

10. The meeting discussed the organization of work of the informal preparatory meeting of the Ad Hoc Committee, to be held in Buenos Aires. The group suggested that it would be useful for that meeting to continue the work begun during the seventh session of the Commission on Crime Prevention and Criminal Justice by completing the first reading of the document that emerged from the meeting held in Warsaw on 2 to 6 February 1998 (E/CN.15/1998/5). The conclusion of the first reading would make it possible to begin negotiations on a streamlined text. In line with paragraph 9 above, some time should be allocated at the meeting in Buenos Aires for discussion of the issues related to the additional international instruments or protocols and their relationship to the Convention. On this basis, the meeting prepared the attached provisional agenda for the meeting in Buenos Aires (annex II). Progress achieved at the meeting in Buenos Aires would make it possible for the "Friends of the Chair" to resolve many of the organizational and procedural questions that remained open. For this reason, it was decided to organize the second meeting of the group on Saturday, 5 September 1998, immediately following the conclusion of the meeting in Buenos Aires.

11. The issue of the bureau of the Ad Hoc Committee was raised. However, the meeting thought that a thorough discussion of that matter would be more appropriately held after the Economic and Social Council took action on the draft resolutions submitted to it by the Commission on Crime Prevention and Criminal Justice at its seventh session.

ANNEX I

INDICATIVE TIMETABLE FOR THE ELABORATION OF THE CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

1998

MEETING	DATES	PLACE
First informal meeting of "Friends of the Chair"	17-18 July 1998	Rome
Informal Preparatory Meeting of the Ad Hoc Committee	31 August-4 September 1998	Buenos Aires
Second informal meeting of the "Friends of the Chair"	5 September 1998	Buenos Aires
Third informal meeting of the "Friends of the Chair"	Two days in November 1998	Vienna

1999

MEETING	DATES	PLACE
First Meeting of the Ad Hoc Committee	18-29 January 1999	Vienna
Second Meeting of the Ad Hoc Committee	8-12 March 1999	Vienna
Third Meeting of the Ad Hoc Committee	At least three days during the eighth session of the Commission on Crime Prevention and Criminal Justice (27 April-6 May 1999)	Vienna
Fourth Meeting of the "Friends of the Chair"*	June or July 1999	Vienna
Fourth Meeting of the Ad Hoc Committee	One or two weeks in September 1999	Vienna
[Progress report to GA]	September 1999	
Fifth Meeting of the "Friends of the Chair"*	Two days in November or December 1999	Vienna

2000

MEETING	DATES	PLACE
Fifth Meeting of the Ad Hoc Committee	One or two weeks in January 2000	Vienna
[Tenth United Nations Congress]	10-17 April 2000	Vienna
[Ninth session of the Commission on Crime Prevention and Criminal Justice]	18-20 April 2000	Vienna
Sixth Meeting of the "Friends of the Chair"*	Two days in May 2000	Vienna
Sixth Meeting of the Ad Hoc Committee	One or two weeks in August or September 2000	Vienna
Millennium Assembly or Plenipotentiary Conference for the approval of the convention	Autumn 2000	

*Should resources become available through voluntary contributions or otherwise, these meetings could be converted into meetings of the Ad Hoc Committee with full interpretation in the six official languages of the United Nations.

ANNEX II

INFORMAL PREPARATORY MEETING OF THE AD HOC COMMITTEE ON THE ELABORATION OF THE CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

Buenos Aires, 31 August-4 September 1998

Provisional agenda and organization of work

Monday, 31 August 1998

10 a.m - 10.30 a.m.

1. Opening of the meeting

10.30 a.m. - 1 p.m.

2. Adoption of the agenda and organization of work
3. Completion of the first reading of the outline of options (E/CN.15/1998/5): articles 15-30

3 p.m.- 6 p.m.

Continuation of item 3

Tuesday, 1 September 1998

10 a.m. - 1 p.m.

Continuation and conclusion of item 3

3 p.m. - 6 p.m.

4. Consultations on specific provisions of the draft convention

Wednesday, 2 September 1998

10 a.m. - 1 p.m. and 3 p.m. - 6 p.m.

Continuation of item 4

Thursday, 3 September 1998

10 a.m. - 1 p.m.

Continuation and conclusion of item 4

3 p.m. - 6 p.m.

5. Discussion of additional international instruments, pursuant to draft resolution II on transnational organized crime (E/CN.15/1998/11)

Friday, 4 September 1998

10 a.m. - 1 p.m.

Informal consultations

3 p.m. - 6 p.m.

6. Consideration and adoption of the report of the meeting

7. Closing of the meeting